

EXHIBIT 4

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

7th & ALLEN EQUITIES : CIVIL ACTION

v.

HARTFORD CASUALTY : NO. 5:11-cv-  
INSURANCE COMPANY : 01567-JKG

March 1, 2012

Oral deposition of GERALD J.

FILLMAN, JR., held in the offices of  
GIBBONS, P.C., 1700 Two Logan Square,  
18th & Arch Streets, Philadelphia,  
Pennsylvania 19103, commencing at  
10:00 a.m., on the above date, before  
Pamela J. Gober Bracic, a Federally  
Approved Registered Professional Reporter  
and Notary Public.

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1 told that that was the cause of it?

2 A. I believe it was a few days.

3 I don't recollect that it was any time  
4 longer than that.

5 Q. Do you recall if anyone was  
6 with you when Kistler O'Brien told you  
7 that that's how it happened?

8 A. I don't recall.

9 Q. Is that the type of thing  
10 that you and facilities would have wanted  
11 to learn?

12 A. More so I would say  
13 facilities. My job was to operate the  
14 store and get it back open.

15 Q. So you think facilities  
16 would have been concerned about figuring  
17 out why the loss occurred?

18 MR. BYRON: Objection.

19 THE WITNESS: Simply because  
20 they are the liaison.

21 BY MR. COLEMAN:

22 Q. At any point after the  
23 incident in question, were you given  
24 possession of the sprinkler head?

1           A.       I don't recall ever  
2   receiving that.

3           Q.       Do you recall attending a  
4   meeting with anyone from Plick and  
5   Associates?

6           A.       Plick and Associates? No.

7           Q.       Does the name Mike Zazulla  
8   ring a bell?

9           A.       Not to my recollection, no.

10          Q.       Do you have any recollection  
11   as to anybody else that had possession of  
12   the sprinkler head at that point after  
13   the incident?

14          A.       No, not to my recollection.

15          Q.       How long after the incident  
16   did it take for the store to open again?

17          A.       It took us about 4 to  
18   5 days.

19          Q.       Can you describe the extent  
20   of the damage to the leased space -- your  
21   space -- due to the sprinkler leak?

22          A.       There was a lot of ceiling  
23   tile damaged that needed to be replaced,  
24   there was some interior/exterior